



# The Fairfield County Medical Association

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## To Members of the Judiciary Committee

April 1, 2013

My name is Edward Volpintesta. I am a general practitioner and a member of the Fairfield County Medical Association. I am testifying on behalf of its 1500 members in opposition to House Bill 6687 because the substitution of “any qualified provider” for “similar health provider” has the potential to allow unwarranted allegations of medical malpractice to move forward against physicians.

By placing a disproportionate amount of liability on physicians they will be forced to practice defensive medicine to a greater degree than ever before. Not only does this raise the cost of health care immensely, it also can expose patients to the risk of unnecessary biopsies and surgical procedures. Both of which can in some instances lead to infections, injury because of surgical mishap, and even death.

The point is that modern medicine has become so complicated that if an allegation of malpractice is brought against a physician, every care must be taken that the person doing so has not only high moral standards but the scientific background to make a clear determination.

For example, a general surgeon is best qualified to pass judgment on case involving another general surgeon or an obstetrician on a case involving another obstetrician. This is the intent and wisdom of the “similar health provider” clause.

On the other hand, the “any qualified provider” lends itself to too broad an interpretation. It has great potential for someone who does not have the necessary training and expertise to allow an allegation of medical malpractice to move forward when better judgment prevents it.

Edward Volpintesta MD

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